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17 UNITED STATES DISTRICT COURT
18 NORTHERN DISTRICT OF CALIFORNIA

19
20 IN RE DYNAMIC RANDOM ACCESS
21 MEMORY (DRAM) ANTITRUST
22 LITIGATION

23 Master File No. M-02-1486 PJH (JCS)

24 MDL No. 1486

25 **[PROPOSED] ORDER APPROVING**
JOINT NOTICE TO CLASS
REGARDING PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENTS WITH ELPIDA AND
NEC DEFENDANTS

26 Time: 9:00 a.m.
Date: January 10, 2007
Judge: Hon. Phyllis J. Hamilton
Courtroom: 3, 17th Floor

27 This Document Relates to:

28 ALL DIRECT PURCHASER ACTIONS

1 The Court, having approved the two settlement agreements ("Settlements") entered into
 2 between (i) plaintiffs and defendants Elpida Memory, Inc. and Elpida Memory (USA) Inc.
 3 (collectively, "Elpida"); and (ii) plaintiffs and defendant NEC Electronics America, Inc. (together
 4 with Elpida, the "Settling Defendants"), and having issued its order certifying the Class for
 5 litigation purposes on June 5, 2006, hereby ORDERS:

6 1. Class Plaintiffs have advised the Court that Class Plaintiffs have recently entered
 7 into additional settlement agreements with Winbond Electronics Corporation and Winbond
 8 Electronics Corporation America (collectively "Winbond"), and Micron Technology, Inc.; Micron
 9 Semiconductor Products, Inc., including through its Crucial Technology division (collectively
 10 "Micron").

11 2. The Court will hold in abeyance issuing an order requiring Class Plaintiffs to send
 12 notice to the Class of the approval of the settlements with Elpida and NEC and setting a fairness
 13 hearing.

14 3. Class Plaintiffs, in consultation with settling defendants, will submit to the Court
 15 within 14 days their proposal for sending notice to the Class and setting a fairness hearing
 16 covering the settlements with defendants Elpida, NEC, Winbond and Micron, including the
 17 advisability of sending out a single notice covering all four settlements.

18 **IT IS SO ORDERED.**

19 Dated: January 10, 2007



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